



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,623	07/28/2003	Reuven Unger	P23593	4331

7055 7590 03/15/2005

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER


GARCIA, ERNESTO

ART UNIT	PAPER NUMBER
----------	--------------

3679

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

 Office Action Summary	Application No. 10/627,623	Applicant(s) UNGER ET AL.	
	Examiner Ernesto Garcia	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003 and 03 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 4,8,13 and 15-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7,9-12,14 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/28/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election

Applicant's election with traverse of claims 1-3, 5-7, 9-12, 14, and 25 (Figures 3, 4, 5A, 5B, 6, 7A, and 7B) in the reply filed on December 12, 2004 is acknowledged. The traversal is on the ground(s) that the examiner has not set forth the existence of a "serious burden", that the search for species and subspecies would be coextensive or at least have significant overlap; and that merely because one claim does not require details of another claim is not a proper basis for restriction. This is not found persuasive because applicants have failed to show that a coextensive search is a reason for not requiring a restriction requirement. Furthermore, applicants have failed to show that "search" is the only criteria that goes into determining the existence of a "serious burden". Nevertheless, the claims not listed by applicant on the elected species remain as evidence that the species are distinct and unobvious over the elected species. Accordingly, to have to examine two or more patentably distinct species of different scope in the same application, including consideration of individual arguments for each species would impart a serious burden upon the examiner. In regards to the argument that claims not requiring details of another claim is not a proper basis for restriction, applicant is reminded that election between species is based on figures and not the claims.

Art Unit: 3679

The requirement is still deemed proper and is therefore made FINAL.

Claims 4, 8, 13, and 15-24 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on December 3, 2004.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the spring mount radially inwardly projects at a region between the first inner diameter and the second inner diameter of the spring support (claim2) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Applicant has shown the spring mount 440 projecting at the second inner diameter assuming the inner diameter is the unthreaded portion below the spring mount.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended". If a drawing

Art Unit: 3679

figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 3, 7, 12, and 25 are objected to because of the following informalities:
regarding claims 3, 7, and 12, "first threads are" in line 1 should be --a first thread is--, and "second threads are" in line 2 should be --a second thread is--; and,
regarding claim 25, "projection" in line 6 should be --spring support--.
Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 3679

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-7, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Sergeant, 2,110,427 (see marked-up attachment).

Regarding claim 1, Sergeant discloses, in Figure 1, a securing device comprising a generally annular spring support **B** and a generally annular coupling ring **2**. The spring support **B** includes a spring mount **A2** projecting in an inner side **A3** of the spring support **B**.

Regarding claims 2 and 6, the spring support **B** has a first inner diameter **A5** and second inner diameter **A6**. The spring mount **A2** radially inwardly projects at a region **A7** between the first inner diameter **A5** and the second inner diameter **A6**.

Regarding claims 3 and 7, a first thread **B1** is formed on an inner periphery of the spring mount **A2**. A second thread **2b** is formed on an outer periphery of the coupling ring **2**.

Regarding claim 5, Sergeant discloses, in Figure 1, a securing device comprising a generally annular spring support **B**, a generally annular coupling ring **2**, and fixation holes **2c**. The spring support **B** includes a spring mount **A2** projecting in an inner side

Art Unit: 3679

A3 of the spring support **B**. The fixation holes **2c** are penetratingly formed through the coupling ring **2**.

Regarding claim 9, the fixation holes **2c** are at an interval of approximately 90 degrees or 180 degrees on the coupling ring **2**.

Claims 10, 11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Folsom et al, 5,173,958 (see marked-up attachment).

Regarding claim 10, Folsom et al. disclose, in Figures 2 and 3, a securing device comprising a generally annular spring support **22**, a generally annular coupling ring **60**, and threaded holes **66**. The spring support **22** includes a spring mount **56** projecting in an inner side **A3** of the spring support **22**. The threaded holes **66** are penetratingly formed through the coupling ring **60**.

Regarding claim 11, the spring support **22** has a first inner diameter **A5** and second inner diameter **A6**. The spring mount **56** radially inwardly projects at a region **A7** between the first inner diameter **A5** and the second inner diameter **A6**.

Regarding claim 14, the threaded holes **66** are at an interval of approximately 90 degrees or 180 degrees on the coupling ring **60**.

Art Unit: 3679

Claims 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Dukert et al., 3,570,062 (see marked-up attachment).

Regarding claim 10, Folsom et al. disclose, in Figures 2 and 3, a securing device comprising a generally annular spring support **56**, a generally annular coupling ring **50**, and threaded holes **A11**. The spring support **56** includes a spring mount **A2** projecting in an inner side **A3** of the spring support **56**. The threaded holes **A11** are penetratingly formed through the coupling ring **50**.

Regarding claim 12, a first thread **A8** is formed on an inner periphery of the spring mount **A2**. A second thread **52** is formed on an outer periphery of the coupling ring **50**.

Claim 25 is rejected under 35 U.S.C. 102(b) as being anticipated by Seguin, 2,020,522.

Regarding claim 25, Seguin discloses, in Figure 6, a method comprising:
insert a spring **9** into a generally annular spring support **3'** such that a spring mount **12** of the spring support **3'** supports the spring **9**; and
connect a generally annular coupling ring **2** to the spring support **3'** such that the spring **9** is secured and sandwiched between the coupling ring and the projection (*vis.*, the spring support **3'**).

Art Unit: 3679

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 703-308-8606. The examiner can normally be reached from 9:30-6:00. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.G.



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

E.G.

February 23, 2005

Attachments: one marked-up page of Sergent, 2,110,427;
one marked-up page of Folsom, et al., 5,173,958; and,
one marked-up page of Dukert et al., 3,570,062.

Art Unit: 3679

Sergeant, 2,110,427

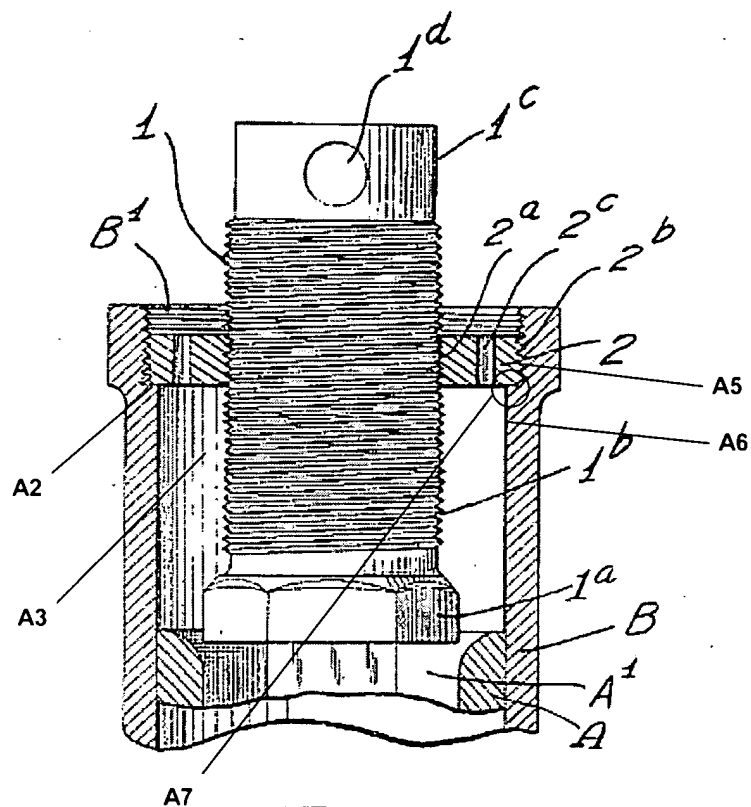
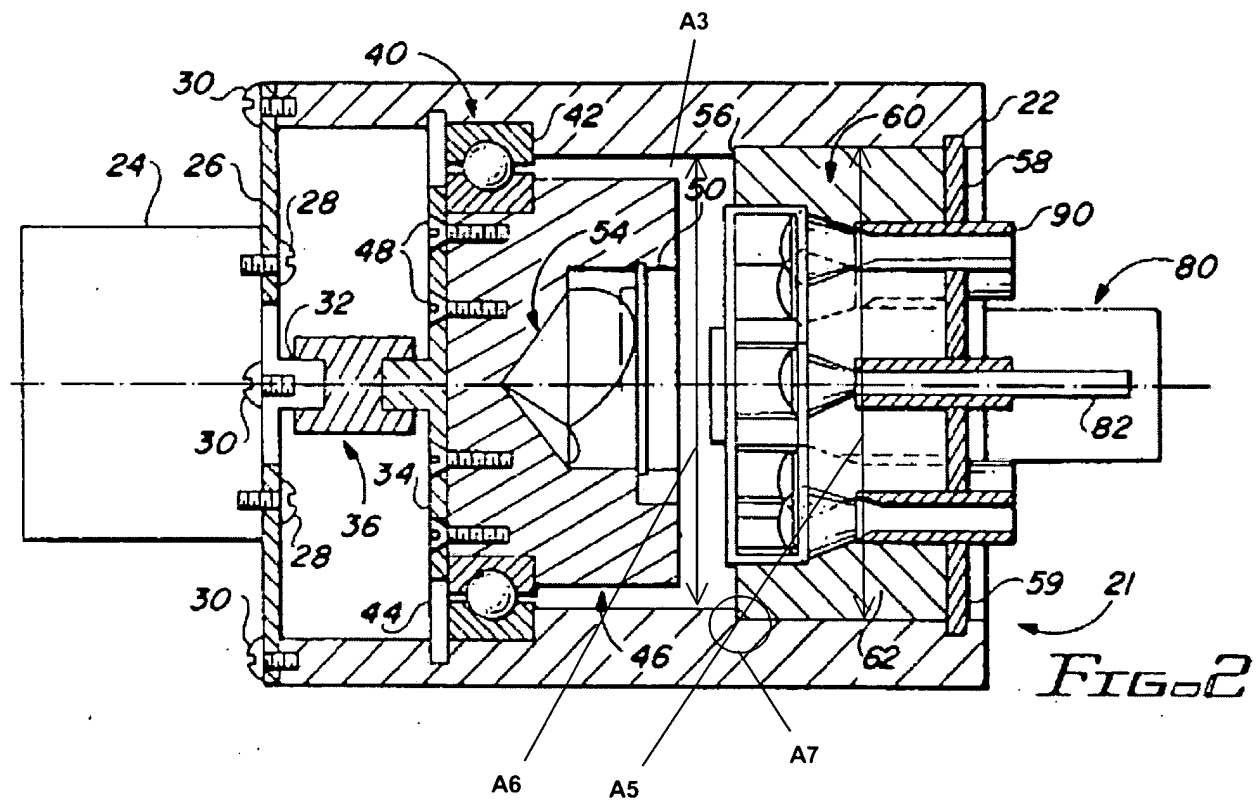


FIG. 1



Dukert et al., 3,570,062

